

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CAPITAL ONE, NATIONAL ASSOCIATION,

Plaintiff,
-against-

201 W 134 ST LLC, GERALD MIGDOL a/k/a JERRY MIGDOL, and "JOHN AND/OR JANE DOE #1" to "JOHN AND/OR JANE DOE #5" inclusive, the last five named persons being unknown to plaintiff, the persons and parties intended being the tenants, occupants, persons, entities, or corporations, if any, having or claiming upon the premises at 201 West 134th Street a/k/a 2280 Adam Clayton Powell Jr. Boulevard, New York New York, a four-story, single dwelling building, as more fully described in the complaint,

**AFFIRMATION OF
MAILING**

12 Civ. 5025 (JMF)
ECF Case

Defendants.

I, Aaron Migdol, Esq., affirm under penalty of perjury that I have served a copy of the attached Reply Affirmation in Support of Defendants' Motion to Dismiss, Affidavit of Defendant Gerald Migdol dated October 4, 2012, and Reply Memorandum of Law in Support of Defendants' Motion to Dismiss upon plaintiff's attorney, Thomas P. Battistoni, Esq. of Schiff Hardin LLC, whose address is 666 Fifth Avenue, 17th Floor, New York, NY 10103 by Federal Express overnight delivery.

Dated: New York, NY
October 4, 2012

Respectfully submitted,

s/
Aaron Migdol, Esq.

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*Attorney for defendants 201 W 134 ST LLC and
Gerald Migdol*